

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:07-CV-94-D

PAUL C. YONGO,

Plaintiff,

v.

NATIONWIDE MUTUAL INSURANCE  
CO., et al.,


Defendants.

**ORDER**

“The Federal Magistrates Act requires a district court to ‘make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.’” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting 28 U.S.C.A. § 636(b)(1) (West 1993 & Supp. 2005)) (alteration in original & emphasis removed). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the record, the briefs, the M&R, and the objections de novo. The court agrees with the findings and conclusions that Judge Gates reached in the M&R. Accordingly, for the reasons stated by Judge Gates, plaintiff’s motion for entry of default for failure to respond to discovery [D.E.100] is DENIED.

SO ORDERED. This the 25 day of March 2008.

  
JAMES C. DEVER III  
United States District Judge